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Transmittal Number: 28213991
Date Processed: 12/21/2023

Notice of Service of Process

Primary Contact: SOP Team nwsop@nationwide.com
Nationwide Mutual Insurance Company
3 Nationwide Plz
Columbus, OH 43215-2410

Electronic copy provided to: Ashley Roberts

Entity: Scottsdale Insurance Company
Entity ID Number 3286058

Entity Served: Scottsdale Insurance Company

Title of Action: Cwc La Properties, L.L.C. D/B/A Big Bass Marina And Meat Market, L.L.C., vs. Scottsdale Insurance Company

Matter Name/ID: Cwc La Properties, L.L.C. D/B/A Big Bass Marina And Meat Market, L.L.C., vs. Scottsdale Insurance Company (15016669)

Document(s) Type: Citation/Petition

Nature of Action: Contract

Court/Agency: Sabine Parish District Court, LA

Case/Reference No: 072867

Jurisdiction Served: Louisiana

Date Served on CSC: 12/21/2023

Answer or Appearance Due: 21 Days

Originally Served On: Secretary Of State

How Served: Certified Mail

Sender Information: Mudd, Bruchhaus & Keating, LLC
N/A

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To avoid potential delay, please do not send your response to CSC

251 Little Falls Drive, Wilmington, Delaware 19808-1674 (888) 690-2882 | sop@cscglobal.com

State of ~~18~~ Louisiana
Secretary of State

Legal Services Section

12/20/2023

P.O. Box 94125, Baton Rouge, LA 70804-9125
(225) 922-0415

SCOTTSDALE INSURANCE COMPANY
C/O CORPORATION SERVICE COMPANY
450 LAUREL STREET, 8TH FLOOR
BATON ROUGE, LA 70801

Suit No.: 072867
11TH JUDICIAL DISTRICT COURT
SABINE PARISH

CWC LA PROPERTIES, L.L.C., ET AL
vs
SCOTTSDALE INSURANCE COMPANY

Dear Sir/Madam:

I am enclosing a citation served in regard to the above entitled proceeding. If you are not the intended recipient of this document, please return it to the above address with a letter of explanation. All other questions regarding this document should be addressed to the attorney that filed this proceeding.

Yours very truly,

R. KYLE ARDOIN
Secretary of State

Served on: R. KYLE ARDOIN
Served by: B GARAFOLA

Date: 12/19/2023
Title: DEPUTY SHERIFF

No: 1314527

KC



CWC LA PROPERTIES LLC, ET AL

Versus

SCOTTSDALE INSURANCE CO

Case: 072867

Division:

11th Judicial District Court

Parish of Sabine

State of Louisiana

To: SCOTTSDALE INSURANCE COMPANY
 THROUGH ITS REGISTERED AGENT FOR SERVICE:
 LOUISIANA SECRETARY OF STATE
 8585 ARCHIVES AVENUE
 BATON ROUGE, LA 70809

SERVED ON
R. KYLE ARDOIN

DEC 19 2023

SECRETARY OF STATE
COMMERCIAL DIVISION

Parish of EAST BATON ROUGE

You are hereby summoned to comply with the demand contained in the PETITION FOR DAMAGES a true and correct copy (exclusive of exhibits) accompanies this citation, or make an appearance, either by filing a pleading or otherwise, in the 11th Judicial District Court in and for the Parish of Sabine, State of Louisiana, within twenty-one (21) days after service hereof, under penalty of default.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, at Many, Parish of Sabine, Louisiana, on this, the 11th day of DECEMBER, 2023.

Shelly Salter

Clerk of Court

Shelly Salter

By: Clerk of Court



Atty:

SERVICE INFORMATION

<input type="checkbox"/> Moved, address unknown	<input type="checkbox"/> Moved, served at new address of _____	
<input type="checkbox"/> Moved out of parish	<input type="checkbox"/> Address not in Sabine Parish	<input type="checkbox"/> Does not live at address given
<input type="checkbox"/> Vacant Residence	<input type="checkbox"/> Vacant Lot	<input type="checkbox"/> No such address
<input type="checkbox"/> Not known at this address	<input type="checkbox"/> Need physical address	<input type="checkbox"/> Received too late for service
<input type="checkbox"/> Deceased	<input type="checkbox"/> Other	<input type="checkbox"/> Request to hold service by _____

Attempted service date/time/note: _____
 Attempted service date/time/note: _____
 Attempted service date/time/note: _____
 Attempted service date/time/note: _____

 PERSONALLY served on date: _____ DOMICILIARY served on date: _____ Served upon _____ Relationship: _____ MILEAGE one way _____ UNABLE TO LOCATE after a due and diligent search on date: _____

Recipient _____

Deputy Sheriff _____

Sabine Parish Sheriff's Department--Louisiana

CWC LA PROPERTIES, L.L.C. RECEIVED AND FILED
d/b/a BIG BASS MARINA AND MEAT MARKET, L.L.C. 11th JUDICIAL DISTRICT
2023 DEC 11 P 2:47

VS. NO. _____ SHELLY SALTER PARISH OF SABINE

SCOTTSDALE INSURANCE : STATE OF LOUISIANA
COMPANY

FILED: _____ : DEPUTY CLERK OF COURT

PETITION FOR DAMAGES

NOW INTO COURT, through undersigned counsel, comes Petitioner, CWC LA PROPERTIES, L.L.C. d/b/a BIG BASS MARINA AND MEAT MARKET, L.L.C., who respectfully represents:

1.

Petitioner, CWC LA PROPERTIES, L.L.C. operated a marina, convenience store and meat market business in Sabine Parish, Louisiana at 363 Big Bass Lane, Many, Louisiana. At all times pertinent hereto, CWC LA PROPERTIES, L.L.C. had its principal business establishment in Sabine Parish, Louisiana.

2.

Made Defendant herein is SCOTTSDALE INSURANCE COMPANY (hereinafter "SCOTTSDALE"), a foreign insurance corporation, licensed to do and doing business in the State of Louisiana, and with an agent for service in the State of Louisiana to wit: Louisiana Secretary of State, 8585 Archives Avenue, Baton Rouge, Louisiana, 70809.

3.

Venue is proper in the Eleventh Judicial District Court pursuant to Louisiana Code of Civil Procedure Article 76. This is an action against a property insurance carrier and the loss occurred in Sabine Parish, Louisiana.

4.

Petitioner, CWC LA PROPERTIES, L.L.C. d/b/a BIG BASS MARINA AND MEAT MARKET, L.L.C., purchased a Commercial Property Policy from Defendant, SCOTTSDALE, bearing Policy Number CPS7427610. The Policy was in effect on or about January 9, 2022 when catastrophic winds and tornadoes struck Petitioner's property. The policy was issued insuring Petitioner's property located at 363 Big Bass Lane, Many Louisiana (hereinafter "the covered property").

5.

Defendant placed a valuation upon the covered property and used this valuation for purposes of determining the premium charge to be made under the policy.

6.

Among other provisions, the policy provided coverage for Petitioners' buildings, boat docks, business personal property, and business income with extra expenses.

7.

On or about January 9, 2022, a series of tornadoes and thunderstorms moved across Sabine Parish, Louisiana. As a result, the covered property was subjected to catastrophic force winds and rain for an extended period of time.

8.

The covered property and contents thereof were severely damaged and/or destroyed by catastrophic winds and rain.

9.

Defendant has denied appropriate coverage for all the damages sustained to the covered property.

10.

The damages sustained to the covered property occurred prior to the damage to the covered property by any non-covered peril, including any type of peril purportedly excluded by the policy.

11.

Defendant has failed to pay the amount of the claim due Petitioner within thirty (30) days of receipt of satisfactory proof of loss.

12.

Defendant has failed to make a written offer to settle Petitioner's claim within thirty (30) days after receipt of satisfactory proof of loss.

13.

Defendant's failure to pay the amount of Petitioner's property damage claim within thirty days and the failure to make a written offer to settle Petitioner's property damage claim within thirty days is arbitrary, capricious and without probable cause. Pursuant to LSA-R.S. 22:1892, in addition to the amount of damage sustained, Defendant is liable to Petitioner for an additional fifty percent (50%) in penalties on the amount found to be due from Defendant to Petitioner, or \$1,000.00, whichever is greater, plus reasonable attorney's fees.

14.

Pursuant to LSA-R.S. 22:1973, Defendant owes Petitioner a duty of good faith and fair dealing in the handling of the claim. Defendant also has an affirmative duty to adjust Petitioner's claim fairly and promptly and to make a reasonable effort to settle Petitioner's claim. Defendant has breached this duty and said breach has been arbitrary and capricious and/or without probable cause.

15.

Because of the actions alleged above, Defendant is liable to Petitioner, in addition to any general or special damages to which Petitioner is entitled for breach of the imposed duty set forth above, for penalties in an amount not to exceed twice the damages sustained or \$5,000.00, whichever is greater, pursuant to LSA-R.S. 22:1973 and LSA-R.S. 22:1892.

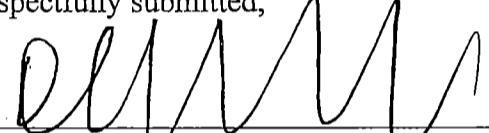
16.

Petitioner has sustained general damages, in addition to the damages already alleged, due to Defendant's breach of the obligations imposed by LSA-R.S. 22:1973 and LSA-R.S. 22:1892, including mental anguish, inconvenience, worry, and stress. Defendant is responsible for these damages as well.

WHEREFORE, Petitioner, CWC LA PROPERTIES, L.L.C. d/b/a BIG BASS MARINA AND MEAT MARKET, L.L.C., prays:

- (A.) That the Defendant, SCOTTSDALE INSURACNE COMPANY, be duly cited and served with a copy of this Petition for Damages and be ordered to answer same in the manner provided by law;
- (B.) That after due proceedings, there be judgment herein in favor of Petitioner, CWC LA PROPERTIES, L.L.C. d/b/a BIG BASS MARINA AND MEAT MARKET, L.L.C., and against Defendant, SCOTTSDALE INSURANCE COMPANY, for such damages as the court finds to be just and reasonable, including penalties and attorney's fees, together with legal interest from the date of judicial demand, until paid, and for all costs hereof; and
- (C.) For all orders and decrees necessary in the premises and for full, general, and equitable relief.

Respectfully submitted,



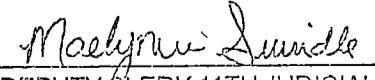
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Attorneys for Petitioner,
CWC LA PROPERTIES, L.L.C. d/b/a BIG BASS
MARINA AND MEAT MARKET, L.L.C.

PLEASE SERVE:

SCOTTSDALE INSURANCE COMPANY
Through its registered agent for service:
Louisiana Secretary of State
8585 Archives Avenue
Baton Rouge, LA 70809

A TRUE COPY-ATTEST



DEPUTY CLERK 11TH JUDICIAL
DISTRICT COURT, SABINE PARISH, LA

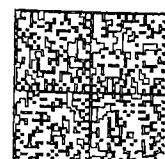
R. KYLE ARDOIN
SECRETARY OF STATE
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FIRST CLASS



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